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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,) No. CR 11-0247 WHA
12 v. Plaintiff,)
13 DAN BUIE,) **STIPULATION AND [PROPOSED]
14 Defendant.**) ORDER TO CONTINUE HEARING
15) AND EXCLUDE TIME
16 _____)

17 **STIPULATION**

18 The parties agree to continue the hearing in the above-captioned matter by 2 weeks from
19 May 24, 2011 until June 7, 2011 at 2:00 p.m. The purpose of the continuance is to allow time
20 for the parties to conduct the physical evidence review. In spite of diligent efforts to complete
21 the review, scheduling conflicts prevented it until now. The review will take place on May 26,
22 2011.

23 The defendant agrees to exclude for this period of time any time limits applicable under
24 18 U.S.C. § 3161. The parties agree that the continuance represents the reasonable time
25 necessary for effective preparation of counsel. 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also
26 agree that the ends of justice served by granting such a continuance outweighed the best interests

1 of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

2 IT IS SO STIPULATED:

3 DATED: May 19, 2011

RONALD TYLER
Assistant Federal Public Defender

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MELINDA HAAG
United States Attorney

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DATED: May 19, 2011

/s/
GREGG LOWDER
Assistant United States Attorney

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[PROPOSED] ORDER

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The Court finds as follows:

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The ends of justice are served by granting the requested continuance, given that failure to do so would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence and would deny the defendant the continuity of counsel.

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The aforementioned ends of justice outweigh the best interest of the public and the defendant in a speedy trial.

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Accordingly, this matter is continued until June 7, 2011 at 2:00 p.m. Pursuant to the Speedy Trial Act, Title 18 United States Code §§ 3161(h)(7)(A) & (h)(7)(B)(iv), the period from May 24, 2011 until June 7, 2011 is excluded in computing the time within which the trial of this matter must commence.

IT IS SO ORDERED.

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DATED: May 23, 2011.


HONORABLE WILLIAM ALSUP
United States District Court Judge